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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Dakai Liu and Elazar Rabbani

Serial No. 09/046,840

Filed: March 24, 1998

Title: VECTORS AND VIRAL VECTORS AND  
PACKAGING CELL LINES FOR  
PROPAGATING SAME

Group Art Unit: 1635

Ex'r: David Guzo

527 Madison Avenue, 9th Floor  
New York, New York 10022  
February 14, 2000

**FILED BY EXPRESS MAIL**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231 **Box DAC**

Attention: Office of Deputy Assistant  
Commissioner for Patents  
2121 Crystal Drive  
Crystal Park 2 - Suite 913  
Arlington, Virginia 22202

RECEIVED

FEB 16 2000

OFFICE OF PATENTS  
DEPUTY ASSISTANT COMMISSIONER

**PETITION TO REVIVE**  
**AN UNINTENTIONALLY ABANDONED**  
**APPLICATION UNDER 37 C.F.R. §1.137(b)**

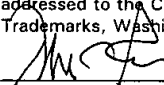
Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed.

The above-identified application became unintentionally abandoned after June 18, 1999, which was the date that a response to the March 18, 1999 Office Action

02/16/2000 DVLUNG 00000102 051135 09046840

01 FC:241 605.00 CH

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.:	EL522278700US
Deposit Date:	February 14, 2000
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.110 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231	
 Ronald C. Fedus Reg. No. 32,567	FEB 14 2000 Date

Enz-56(D3)

Dakai Liu and Elazar Rabbani  
Serial No. 09/046,840  
Filed: March 24, 1998  
Page 2 (Petition to Revive an Unintentionally Abandoned Application  
Under 37 C.F.R. §1.137(b) - February 14, 2000)

was originally due. A Notice of Abandonment was subsequently mailed on November 12, 1999. A copy of the November 12, 1999 Notice of Abandonment is attached to this Petition as Exhibit A. As a response the November 12, 1999 Notice of Abandonment is due no later than February 12, 2000, which day falls on a Saturday, a response filed on the next day which is not a Saturday, Sunday or Federal holiday within the District of Columbia, i.e., Monday, February 14, 2000, is considered timely filed under 37 C.F.R. §1.7. Accordingly, this Petition is being timely filed.

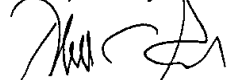
It is hereby requested that this application be revived because the delay in taking action was unintentional as was the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The required reply in the form of an Amendment Under 37 C.F.R. §1.115 is being submitted concurrently herewith and is attached as Exhibit B.

The small entity fee for filing this Petition is \$605.00. Small entity status was previously established in this application and is still applicable. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite small entity fee of \$605.00 set forth in 37 C.F.R. §1.17(m). The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition and the attached Amendment, or to credit any overpayment thereto.

A duplicate copy of this Petition but without attached Exhibits A and B is also submitted herewith.

Favorable action on this Petition is earnestly solicited.

Respectfully submitted,



Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

ENZO THERAPEUTICS, INC.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue (9<sup>th</sup> Fl.)  
New York, New York 10022  
Telephone: (212) 583-0100  
Fax: (212) 583-0150

LC/USProsecution/Enz-53(d7).petitionToRevive.Enz53(d7).101699

ENZ-56(D3)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

REC'D NOV 17 1999

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/046,840	03/24/98	LIU	ENZ-56 (DIV3)

HM22/1112  
RONALD C FEDUS CORP & PATENT COUNSEL  
ENZO THERAPEUTICS INC  
ENZO BIOCHEM INC  
527 MADISON AVE 9TH FLOOR  
NEW YORK NY 10022

EXAMINER  
GUZO, D

ART UNIT	PAPER NUMBER
1636	8

DATE MAILED: 11/12/99

Please find below and/or attached an Office communication concerning this application r proceeding.

Commissioner of Patents and Trademarks

# Notice of Abandonment

Application No.  
09/048,840

Applicant(s)  
Liu et al.

Examiner  
David Guzo

Group Art Unit  
1636



This application is abandoned in view of:

- ☒ applicant's failure to timely file a proper response to the Office letter mailed on Mar 18, 1999.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.  
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).
- ☒ No response has been received.
- ☐ applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☐ The issue fee has not been received.
- ☐ applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ the decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ the reason(s) below:

DAVID GUZO  
PRIMARY EXAMINER

*David Guzo*